

# United States District Court, Northern District of Illinois

(8)

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	02 C 292	DATE	5/23/2002
CASE TITLE	United States of America vs. Peter John Bernes etc.		

MOTION: [In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

### Memorandum Opinion and Order

**DOCKET ENTRY:**

- (1)  Filed motion of [ use listing in "Motion" box above.]
- (2)  Brief in support of motion due \_\_\_\_\_.
- (3)  Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4)  Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5)  Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6)  Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7)  Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8)  [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9)  This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  
 FRCP4(m)    General Rule 21    FRCP41(a)(1)    FRCP41(a)(2).
- (10)  [Other docket entry] Enter Memorandum Opinion and Order. United States' motion for default judgment is granted. This order (1) declares that the defendant illegally procured his U.S. citizenship and certificate of Naturalization; (2) revokes and sets aside the 12/21/54, order of the U.S. District Court for the Northern District of Ill. admitting the defendant to U.S. citizenship; (3) cancels the defendant's certificate of Naturalization, no. 7491150, etc. (4) requires the defendant immediately to surrender and deliver certification of Naturalization No. 7491150 etc. and enjoins the deft from claiming any rights etc.
- (11)  [For further detail see order attached to the original minute order.]

		U.S. DISTRICT COURT MAY 24 2002	Document Number  MAY 28 2002
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	No notices required, advised in open court.	<b>MAY 28 2002</b> <small>date docketed</small>  <small>docketing deputy initials</small>  <small>date mailed notice</small>  <small>mailing deputy initials</small>	
	No notices required.		
	Notices mailed by judge's staff.		
	Notified counsel by telephone.		
	Docketing to mail notices.		
	Mail AO 450 form.		
	Copy to judge/magistrate judge.		
WAH	courtroom deputy's initials	Date/time received in central Clerk's Office	

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA )

vs. )

PETER JOHN BERNES, a/k/a Peter )

John Bernotavicius-Bernes, a/k/a Petras )

Bernotavicius, )

Defendant. )

) No. 02 C 292

DOCKETED  
MAY 28 2002

O R D E R

The United States has moved for entry of judgment by default due to the defendant's failure to answer or otherwise defend against this action. After consideration of the United States' motion for entry of judgment by default, and the documents that accompany the motion, and pursuant to Federal Rule of Civil Procedure 55, a judgment by default is hereby entered against the defendant Peter John Bernes for good cause shown:

1. The United States of America filed a denaturalization complaint against the defendant on January 14, 2002. That complaint charges that defendant illegally procured his admission to the United States and his subsequent naturalization as a United States citizen due to his service to the German commandant in the town of Kupiskis, Lithuania, during the summer of 1941, and his alleged participation in the murder of Jews, suspected communists, and other civilians.

2. Copies of the complaint and summons were personally served on defendant's wife at defendant's usual place of abode on January 24, 2002, and defendant had actual notice of the impending action and the general nature of the allegations contained in the complaint.

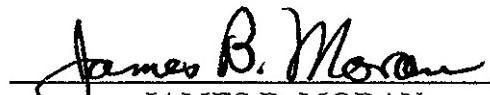
3. Defendant was required to answer the complaint or otherwise defend against this action no later than March 25, 2002.

4. Defendant has failed to answer the complaint or otherwise defend himself in this litigation, as required by the Federal Rules of Civil Procedure and the local rules of this court.

5. For the reasons stated above, the United States' motion for default judgment is granted.

Therefore, IT IS ORDERED and ADJUDGED that a default judgment is entered against defendant Peter John Bernes. This Order

- (1) declares that the defendant illegally procured his United States citizenship and Certificate of Naturalization;
- (2) revokes and sets aside the December 21, 1954, order of the United States District Court for the Northern District of Illinois admitting the defendant to United States citizenship;
- (3) cancels the defendant's Certificate of Naturalization, No. 7491150, and any other indicia of United States citizenship, including passports, that the defendant may possess;
- (4) requires the defendant immediately to surrender and deliver Certification of Naturalization No. 7491150, and any other indicia of United States citizenship, including passports, he may possess, to the United States Embassy in Vilnius, Lithuania, and/or the offices of the United States Attorney for the Northern District of Illinois; and
- (5) forever restrains and enjoins the defendant from claiming any rights, privileges or advantages under any document evidencing United States citizenship.

  
\_\_\_\_\_  
JAMES B. MORAN  
Senior Judge, U. S. District Court

May 23, 2002.